

**CEMETERY BOARD
MINUTES
APRIL 19, 2006**

PRESENT: Theodore Anderson, W. Ed Greenfield, Mary Lehman, E. Glen Porter III, Kathleen Cantu, and Timothy Stanley (nominated member)

STAFF PRESENT: Tim Wellnitz, Bureau Director, Jacquelynn Rothstein, Legal Counsel; Nicole Goodman, Bureau Assistant, and other Department staff were present throughout the meeting

CALL TO ORDER

Tim Wellnitz called the meeting to order at 9:35 a.m. A quorum of five members was present.

AGENDA

MOTION: W. Ed Greenfield moved, seconded by Kathleen Cantu, to approve the agenda as written. Motion carried unanimously.

WELCOME TO THE CEMETERY BOARD, INTRODUCTIONS

Mr. Wellnitz welcomed the Board to the Department of Regulation and Licensing. The Board members introduced themselves and gave a brief history of their background. Secretary Jackson introduced the members of the Secretary's office. Executive Assistant Larry Martin welcomed the Board and briefly explained how he will be working with the Board. Deputy Secretary Barbara Wyatt Sibley introduced herself to the Board. Secretary Jackson thanked the Board members for accepting their positions on the Board and informed them of her open door policy. She encouraged the Board members to contact her with any questions or concerns.

ELECTION OF OFFICERS FOR 2006

MOTION: W. Ed Greenfield moved, seconded by Mary Lehman, to nominate and elect E. Glen Porter III as Chair. Motion carried unanimously.

MOTION: Kathleen Cantu moved, seconded by W. Ed Greenfield, to nominate and elect Theodore Anderson as Vice Chair. Motion carried unanimously.

MOTION: W. Ed Greenfield moved, seconded by Kathleen Cantu, to nominate and elect Mary Lehman as Secretary. Motion carried unanimously.

**GENERAL DEPARTMENT OF REGULATION AND LICENSING POLICY & PROCEDURE
REVIEW WITH THE BOARD**

Agendas and Addendums

The policy was reviewed with the Board and it was clarified with them that agenda items can be submitted up to three weeks before the upcoming scheduled meeting date. After that deadline, an addendum would be required. An addendum is used only to post items that are of an urgent nature and cannot wait until the next meeting. This should be a rare occurrence and not the norm in preparing meeting agendas. Items that do not qualify as an urgent item will be considered for the next meeting agenda and will be part of that meeting's posting.

Quorum Policy and Procedure

Mr. Wellnitz advised that Board members should inform the Bureau Director of any meeting dates in which they will not be able to attend. If the Bureau Director does not hear from a Board member, the Bureau Director will assume that the Board member will be attending the scheduled meeting.

A quorum check will not be conducted prior to each scheduled Board meeting. The only time the Bureau Director will conduct a quorum check will be if two or more Board members contact the Bureau Director indicating they will not be able to attend the upcoming scheduled meeting.

Role and Responsibilities of Board Member

The role and the specific responsibilities of a board member were shared with the Board and a copy of this information was provided in their agenda packets to use as a resource.

Hotel Policy

Mr. Wellnitz reported that the Department has selected the Comfort Inn & Suites at 4822 E. Washington Ave in Madison for all 2006 hotel reservations.

If a Board member is not going to use the reserved hotel room, it is the responsibility of the Board member to cancel the room by calling the hotel themselves. If the hotel room is not cancelled, the Board member may be responsible to pay the hotel bill as a no-show.

Department Policy Out of State Travel

Mr. Wellnitz reiterated the Department's out-of-state travel policy that the Department will pay for one Board member to attend one out-of-state conference in a fiscal year, upon motion made by the Board and upon Department approval.

Travel Expenses

The travel expense guidelines were reviewed with the Board. A copy of the State of Wisconsin Pocket Travel Guide was provided in the Board members agenda packets to use as a resource.

LEGISLATIVE/ADMINISTRATIVE RULES

Overview of Statutes and Rules – Jacquelyn Rothstein

Cemetery Board
June 27, 2006 Minutes

Jacquelynn Rothstein informed the Board that cemeteries need to be licensed with the state if they are five acres or more, if they sell twenty or more cemetery lots or mausoleum spaces or if they have \$100,000 or more in a preneed trust account.

Jacquelynn Rothstein discussed changes to the administrative rules. Sections of the rules that refer to the Department need to be amended because the Department no longer has the authority to make rules. The Board now has rule making authority.

Rule Development – Jacquelynn Rothstein

The Board requested that Mr. Wellnitz add discussion of Chapter RL 50, 51, 52, 53 and 54 to the next agenda.

Pending/Recently Enacted Legislation

The Board reviewed bills that were before the Legislature this session.

DIVISION OF ENFORCEMENT ISSUES

Overveiw of Division of Enforcement – Jack Temby

Jack Temby, Attorney Supervisor of the Division of Enforcement business team, reviewed DOE's role with the Board and informed them that they are currently seeking a new Division Administrator. He also reviewed DOE's case handling process and the number of complaints that are received each year. There were nine complaints last year and currently there are three pending.

Appointment of Screening Panel Members by Board Chair

The 2006 screening panel members are: E. Glen Porter III and Kathleen Cantu.

CREDENTIALING ISSUES – JAN BOBHOLZ AND MICK DALY

New Requirements for Licensing Cemeteries Press Release (FYI)

The new requirements for licensing a cemetery are those that are five acres or more in size, those that sell twenty or more cemetery lots or mausoleum spaces during a calendar year, or those that hold \$100,000.00 or more in preneed trust fund accounts. Cemeteries that are organized, maintained, and operated by a town, village, city, church, synagogue or mosque, religious, fraternal or benevolent society or incorporated college of a religious order are not required to be licensed.

Review New Application Form

A copy of the new application forms were provided for the Board members to view. The application forms are available on the Department of Regulation and Licensing web-site.

Discussion of Application Process

Mick Daley briefly reviewed the application process.

Discussion of Renewal Process

All licenses expire on December 31 of the current year. There is a separate fee for initial licenses and renewal licenses.

Appoint Credentialing Liaison

MOTION: Kathleen Cantu moved, seconded by Mary Lehman, to nominate W. Ed Greenfield to represent the Board as the Credentialing Liaison. Motion carried unanimously.

Cemetery Annual Reports

The Cemetery Annual Report will be released on March 1, 2006. Cemetery preneed sellers also will be having an annual report coming out the same day.

Location of Cemeteries

The Board discussed potential sources that can be used to determine who should receive application forms. The Board recommended that Department staff speak with the Secretary about trying to locate and contact cemeteries that may need to be licensed. The Department will work with the credentialing liaison to determine the mechanism for notification.

CEMETERY CONVEYANCE

Appoint Conveyances Approval Liaison

MOTION: Theodore Anderson moved, seconded by W. Ed. Greenfield, to nominate Glen Porter III as the Conveyance Approval Liaison. Motion carried unanimously.

TRUSTEES

Appoint Trustee Approval Liaison

MOTION: Theodore Anderson moved, seconded by W. Ed. Greenfield, to nominate E. Glen Porter III as the Trustee Approval Liaison. Motion carried unanimously.

Schedule 2006 Board Meeting Dates

Mr. Wellnitz discussed 2006 meeting dates with the Board. The dates were set for the remaining 2006 Board meeting dates: June 27, September 13 and November 15. Board meetings will begin at 9:30 a.m.

Discussion of Future Agenda Items

The Board requested Mr. Wellnitz add location of cemeteries and cemetery rules to the next agenda for further discussion.

CLOSED SESSION

MOTION: Kathleen Cantu moved, seconded by Theodore Anderson to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; to consider licensure or discipline (s. 19.85(1)(b), Stats.; to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats. Motion carried by roll call vote: Theodore Anderson-yes; Kathleen Cantu-yes; W. Ed Greenfield-yes; Mary Lehman-yes; E. Glen Porter III-yes.

Open Session recessed at 12:57 p.m.

RECONVENE TO OPEN SESSION

MOTION: W. Ed Greenfield moved, seconded by Theodore Anderson, to reconvene into Open Session at 1:15 p.m. Motion carried unanimously.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE

CEMETERY CONVEYANCE

SUNSET MEMORIAL GARDENS TO WISCONSIN CEMETERY HOLDINGS

MOTION: Theodore Anderson moved, seconded by Kathleen Cantu, to approve the conveyance of Sunset Memory Gardens to Wisconsin Cemetery Holdings. Motion carried unanimously.

ADJOURNMENT

MOTION: W. Ed Greenfield moved, seconded by Kathleen Cantu, to adjourn the meeting at 1:16 p.m. Motion carried unanimously.

NEXT CEMETERY BOARD MEETING JUNE 27, 2006